

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

DIN SHEPP,

Plaintiff,

v.

CUSTOM CARTAGE, INC., et al.,

Defendants.

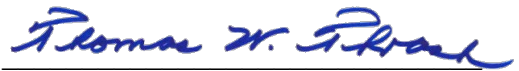
CIVIL ACTION FILE  
NO. 1:20-CV-2722-TWT

**ORDER**

This is a personal injury action. It is before the Court on the Defendants' Motion to Exclude Certain Treating Physicians' Expert Testimony [Doc. 38]. The Plaintiff identified certain of his treating physicians as fact witnesses in his Initial Disclosures. However, he did not identify any of his treating physicians as expert witnesses by the June 17, 2021 deadline for disclosure of expert witnesses set by the Court's May 7, 2021 Scheduling Order. He did not provide any disclosures required by Rule 26(a)(2)(C) until September 21, 2021 (Dr. Acquah) and October 29, 2021 (Dr. Prybis and Dr. Turek) when the discovery deadline was November 1, 2021. The deadline for the Defendants to identify rebuttal experts was August 1, 2021. The disclosures made after that date failed to comply with Local Rule 26.2(C). The Plaintiff's suggestion that the Court can just reopen discovery to allow the Defendants to depose his experts would allow the Plaintiff to ignore the

deadlines set in the Court's Scheduling Order, ignore the Federal Rules of Civil Procedure, ignore the Court's Local Rules and suffer no consequences. The Defendants' Motion to Exclude Certain Treating Physicians' Expert Testimony [Doc. 38] is GRANTED. The Plaintiff's Motion to Reopen Discovery [Doc. 42] is DENIED.

SO ORDERED, this 7<sup>th</sup> day of February, 2022.

A handwritten signature in blue ink, reading "Thomas W. Thrash, Jr.", written over a horizontal line.

THOMAS W. THRASH, JR.  
United States District Judge